

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 10/17/2022
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CARLOS AGOSTIN ROBLES SANCHEZ,	:	
	:	
	:	
Plaintiff,	:	21-CV-9628 (VEC)
	:	
-against-	:	
	:	<u>ORDER</u>
	:	
PAYAM INC., PAPRIKA II LLC, and	:	
PAPRIKA LLC□,	:	
	:	
Defendants.	:	
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VALERIE CAPRONI, United States District Judge:

WHEREAS on October 13, 2022, the parties submitted a proposed settlement agreement for the Court's approval pursuant to *Cheeks v. Freeport Pancake House, Inc.*, 796 F.3d 199 (2d Cir. 2015), *see* Dkt. 18;

WHEREAS the proposed settlement provides for a total recovery of \$10,000, with a third of the recovery (\$3,333.33) awarded to Plaintiff's counsel for fees and costs, *see id.*;

WHEREAS counsel's requested fee is less than half the lodestar amount based on counsel's billing rates and time entries, *see id.* Ex. 2;

WHEREAS the Court finds that counsel's requested fee and the settlement amount for the case are reasonable; and

WHEREAS the proposed settlement agreement contains a release that is far broader than just wage-and-hour claims, *see* Dkt. 48 Ex. 2, ¶¶ 1(a)–(d);

IT IS HEREBY ORDERED that the proposed settlement agreement is not approved as fair and reasonable because of the breadth of the release. The Court would be prepared to approve as fair a settlement that releases all wage-and-hour law claims. The parties may submit, no later than **October 28, 2022**, a revised settlement agreement that is consistent with this Order

if they wish to proceed with the settlement. *See Fisher v. SD Prot. Inc.*, 2020 WL 550470, at \*8 (2d Cir. Feb. 4, 2020).

**SO ORDERED.**

**Date: October 17, 2022**  
**New York, NY**



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**VALERIE CAPRONI**  
**United States District Judge**